

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

VIVEK SHAH,

Plaintiff,

v.

THE HARVARD DRUG GROUP LLC,

Defendant.

Case No.: 2:24-cv-08979-MEMF-SKx

**[PROPOSED] ORDER OF FINAL  
JUDGMENT [ECF NO. 25]**

On March 31, 2025, the Court issued an Order Denying Motion to Transfer, Granting Request for Judicial Notice, and Granting Motion to Dismiss, wherein the Court (1) denied Plaintiff Vivek Shah's Motion to Transfer this action to the Southern District of New York; and (2) dismissed all claims in Plaintiff's Complaint without leave to amend because Plaintiff failed to oppose Defendant The Harvard Drug Group, L.L.C.'s Motion to Dismiss and because his claims were preempted by the Federal Food, Drug, and Cosmetic Act ("FDCA"), 21 U.S.C. § 301, *et seq.* (*See* ECF No. 24.)

On April 11, 2025, Defendant filed a Request for Entry of Separate and Final Judgment ("Request") in accordance with Fed. R. Civ. P. 58(d). (*See* ECF No. 25.)

1 The Court, having considered Defendant's Request and finding good cause therefor, hereby  
2 GRANTS the Request and ORDERS as follows:

- 3 1. Plaintiff Shah's Motion to Transfer (ECF No. 15) is DENIED.  
4 2. Defendant THDG's Request for Judicial Notice (ECF No. 12) is GRANTED.  
5 3. Defendant THDG's Motion to Dismiss (ECF No. 11) is GRANTED. Plaintiff's claims shall  
6 be DISMISSED WITHOUT LEAVE TO AMEND. The action is therefore DISMISSED.  
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8 **IT IS SO ORDERED.**  
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10 Dated:

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12 MAAME EWUSI-MENSAH FRIMPONG  
13 UNITED STATES DISTRICT COURT JUDGE  
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